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# **SMART & BIGGAR**

*Intellectual Property & Technology Law*

**To Fax no.:** 1-703-872-9306 **438 University Avenue**  
**Page 1 of:** 11 **Suite 1500, Box 111**  
**Attention:** Commissioner for Patents  
United States Patent & Trademark Office  
Attention: Robert J. McCarry Jr.  
Group Art Unit: 3617 **Toronto, Canada M5G 2K8**  
**From:** Matthew Zischka **Tel.: (416) 593-5514**  
**Your file no.:** 10/687,760 **Fax: (416) 591-1690**  
**Reply to Toronto file no.:** 91634-11 **Date: May 13, 2005**  
**Time:**

**FORMAL RESPONSE TO OFFICE ACTION**  
**Dated December 13, 2004**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
Sergio Panetta  
Serial No.: 10/687,760  
Filed: October 20, 2003  
For: RAIL BASED ELECTRIC POWER  
DISTRIBUTION NETWORK

Commissioner for Patents  
Alexandria, Virginia  
U.S.A.

) Group Art Unit: 3617  
Examiner: Robert J. McCarry, Jr.  
Attorney Docket No.: 91634-11

<b>Certificate of Transmission</b>	
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<u>May 13, 2005</u>	
Signature	
<u>Matthew Zischka</u>	
Typed or printed name of person signing this certificate	

**AMENDMENT TRANSMITTAL LETTER (LARGE ENTITY)**

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

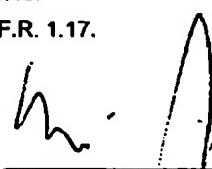
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	14	20	0	X \$50.00	\$0
INDEP. CLAIMS	3	3	0	X \$200.00	\$0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

- No additional fee is required for amendment.
- Please charge Deposit Account No. 19-2548 amount of \$        duplicate copy of this sheet is enclosed.
- Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered. Please charge the fees required therefor to Deposit Account No. 19-2548.
- A check in the amount of        to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2548. A duplicate copy of this sheet is enclosed.
  - Any additional filing fees required under 37 C.F.R. 1.16.
  - Any patent application procession fees under 37 C.F.R. 1.17.

May 13, 2005

Date  
91634-11  
Encl.  
Telephone: (416) 593-5514

  
Matthew Zischka (Reg. No. 41,575)  
SMART & BIGGAR  
438 University Avenue, Suite 1500  
Toronto, Ontario, Canada M5G 2K8

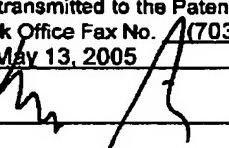
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/687,760 Confirmation No.: 9598  
First Named Inventor: Sergio Panetta  
TC/A.U.: 3617  
Examiner: Robert J. McCarry Jr.  
Filed: 10/20/2003  
Title: RAIL BASED ELECTRIC POWER DISTRIBUTION  
NETWORK  
Docket No.: 91634-11  
Customer No.: 22463

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

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Signature	
Matthew Zischka <small>Typed or printed name of person signing this certificate</small>	

PTO Customer No. 22463

**RESPONSE TO OFFICE ACTION**

In response to the office action dated December 13, 2004, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.